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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,326	03/09/2004	Damodaran Vasudevan	CE10618R	2113

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MOTOROLA, INC.  
1303 EAST ALGONQUIN ROAD  
IL01/3RD  
SCHAUMBURG, IL 60196

EXAMINER
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SOBUTKA, PHILIP

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/12/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/12/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
APT099@motorola.com

**Office Action Summary**

Application No.

10/796,326

Applicant(s)

VASUDEVAN ET AL.

Examiner

Philip J. Sobutka

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-7,9-14,17-21 and 23-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,10,18,24,29 and 30 is/are allowed.
- 6) ☒ Claim(s) 3,5-7,9,11-14,17,19-21,23,25-28 is/are rejected.
- 7) ☒ Claim(s) 4-6,10-12,18-20 and 24-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Prosecution Re-Opened***

1. The indicated allowability of claims 3,5-7,9,11-14,17,19-21,23,25-28 is withdrawn in view of the newly discovered reference(s) to Salonaho. Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 3,5-7,9,11-14,17,19-21,23,25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Salonaho (US 6,982,959).

Consider claim 5. Salonaho teaches a method for controlling a cell reselection mode of a mobile station while the mobile station resides in a cell comprising:

determining a cell reselection mode of the mobile station, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (*Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements*

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*correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45);*

*evaluating a downlink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);*

*determining whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation of the downlink signal (Salonaho see for example column 7, line 8 – column 9, line 3);*

*when the evaluation of the downlink signal indicates a deterioration of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode, instructing the mobile station to switch to a network-controlled cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and*

*when the evaluation of the downlink signal indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using a network- controlled cell reselection mode, instructing the mobile station to switch to an autonomous cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).*

As to claim 3, Salonaho teaches the method of claim 5, wherein evaluating a downlink signal comprises:

determining a signal quality metric associated with the downlink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);

comparing the signal quality metric to a signal quality metric threshold (Salonaho teaches use of thresholds, see for example column 5, lines 40-65); and

determining whether the mobile station is experiencing a change in radio frequency conditions based on the comparison (Salonaho see for example column 7, line 8 – column 9, line 3).

As to claim 7, Salonaho teaches the method of claim 5, wherein evaluating a downlink signal comprises evaluating one or more downlink signals received over an evaluation period (*Salonaho teaches determining either or both uplink and downlink signal quality, which would of course occur over a period, see for example figure 2, column 6, lines 4-45*).

As to claim 14, Salonaho teaches the method of claim 5, wherein instructing the mobile station to switch a cell reselection mode used by the mobile station comprises, when the evaluation of the downlink signal indicates an improvement of radio frequency conditions experienced by the mobile station, instructing the mobile station to lengthen a reporting period associated with a cell reselection mode used by the mobile station (*Salonaho teaches the mobile being commanded to send measurement reports or not, see for example column 9, lines 8-55. Note that when the mobile would not be required*

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*to send reports (because of improved conditions), the period between reports would have been lengthened).*

Consider claim 6. Salonaho teaches a method for controlling a cell reselection mode of a mobile station while the mobile station resides in a cell comprising:

determining a cell reselection mode of the mobile station, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55);

evaluating a downlink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);

determining whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation of the downlink signal (Salonaho see for example column 7, line 8 – column 9, line 3); and

when the evaluation of the downlink signal indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode that requires reporting, instructing the mobile station to switch to an autonomous cell reselection mode that does not require reporting (Salonaho teaches the mobile being commanded to send measurement reports or not, see for example column 9, lines 8-55).

Consider claim 11. Salonaho teaches a method for controlling a cell reselection mode of a mobile station while the mobile station resides in a cell comprising:

determining a cell reselection mode of the mobile station, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45);

evaluating an uplink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);

determining whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation of the uplink signal (Salonaho see for example column 7, line 8 – column 9, line 3);

when the evaluation of the uplink signal indicates a deterioration of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode, instructing the mobile station to switch to a network-controlled cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or

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hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and

when the evaluation of the uplink signal indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using a network-controlled cell reselection mode, instructing the mobile station to switch to an autonomous cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

As to claim 9, Salonaho teaches the method of claim 11, wherein evaluating a downlink signal comprises:

determining a signal quality metric associated with the uplink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);

comparing the signal quality metric to a signal quality metric threshold (Salonaho teaches use of thresholds, see for example column 5, lines 40-65); and

determining whether the mobile station is experiencing a change in radio frequency conditions based on the comparison (Salonaho see for example column 7, line 8 – column 9, line 3).

As to claim 13, Salonaho teaches the method of claim 11, wherein evaluating an uplink signal comprises evaluating one or more uplink signals received over an evaluation period (*Salonaho teaches determining either or both uplink and downlink*



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*signal quality, which would of course occur over a period, see for example figure 2, column 6, lines 4-45).*

Consider claim 12. Salonaho teaches a method for controlling a cell reselection mode of a mobile station while the mobile station resides in a cell comprising:

determining a cell reselection mode of the mobile station, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45);

evaluating an uplink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45);

determining whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation of the uplink signal (Salonaho see for example column 7, line 8 – column 9, line 3); and

when the evaluation of the uplink signal indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode that requires reporting, instructing the mobile station to switch to an autonomous cell reselection mode that does not require reporting

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(Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

Consider claim 19. Salonaho teaches a network controller comprising:

a default cell reselection mode associated with a cell serviced by the network

(Note that since Salonaho only allows non-reporting if conditions warrant, the reporting mode would be the default mode. Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and

a means that determines a cell reselection mode of a mobile station located in the cell, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45),

evaluates a downlink signal quality metric associated with a downlink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45),

determines whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation, when the evaluation of the downlink signal quality metric indicates a deterioration of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode, instructs the mobile station to switch to a network-controlled cell reselection mode, and when the evaluation of the downlink signal quality metric indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using a network-controlled cell reselection mode, instructs the mobile station to switch to an autonomous cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

Salonaho lacks a teaching of at least one memory device and a processor coupled to the at least one memory device to store and perform the method. Official Notice is taken that it is notoriously well known in the art to use memory and processors to store and perform cell network processing. It would have been obvious to one of ordinary skill in the art to modify Salonaho to use memory and processor circuitry in order to utilize commonly available circuitry components.

As to claim 17, Salonaho teaches the network controller of claim 19, wherein the processor evaluates the signal quality metric by comparing the signal quality metric to a signal quality metric threshold and further determines whether the mobile station is experiencing a change in radio frequency conditions based on the comparison (*Salonaho teaches use of thresholds, see for example column 5, lines 40-65*).

As to claim 21, Salonaho teaches the network controller of claim 19, wherein the processor evaluates a downlink signal quality metric by evaluating downlink signal quality metrics over an over an evaluation period (*Salonaho teaches determining either or both uplink and downlink signal quality, which would of course occur over a period, see for example figure 2, column 6, lines 4-45*).

Consider claim 20. Salonaho teaches a network controller comprising:

a default cell reselection mode associated with a cell serviced by the network (Note that since Salonaho only allows non-reporting if conditions warrant, the reporting mode would be the default mode. Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and

a means that determines a cell reselection mode of a mobile station located in the cell, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements

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of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45),

evaluates a downlink signal quality metric associated with a downlink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45),

determines whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation, and when the evaluation of the downlink signal quality metric indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode that requires reporting, instructs the mobile station to switch to an autonomous cell reselection mode that does not require reporting (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

Salonaho lacks a teaching of at least one memory device and a processor coupled to the at least one memory device to store and perform the method. Official Notice is taken that it is notoriously well known in the art to use memory and processors to store and perform cell network processing. It would have been obvious to one of

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ordinary skill in the art to modify Salonaho to use memory and processor circuitry in order to utilize commonly available circuitry components.

Consider claim 25. Salonaho teaches a network controller comprising:

a default cell reselection mode associated with a cell serviced by the network controller (Note that since Salonaho only allows non-reporting if conditions warrant, the reporting mode would be the default mode. Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and

a means that determines a cell reselection mode of a mobile station located in the cell, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45),

evaluates an uplink signal quality metric associated with an uplink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45),

determines whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation, when the evaluation of the uplink signal quality metric indicates a deterioration of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode, instructs the mobile station to switch to a network-controlled cell reselection mode, and when the evaluation of the uplink signal quality metric indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using a network-controlled cell reselection mode, instructs the mobile station to switch to an autonomous cell reselection mode (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

Salonaho lacks a teaching of at least one memory device and a processor coupled to the at least one memory device to store and perform the method. Official Notice is taken that it is notoriously well known in the art to use memory and processors to store and perform cell network processing. It would have been obvious to one of ordinary skill in the art to modify Salonaho to use memory and processor circuitry in order to utilize commonly available circuitry components.

As to claim 23, Salonaho teaches the network controller of claim 25, wherein the processor evaluates the uplink signal quality metric by comparing the uplink signal quality metric to a signal quality metric threshold and further determines whether the mobile station is experiencing a change in radio frequency (RF) conditions based on the

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comparison (*Salonaho teaches use of thresholds, see for example column 5, lines 40-65*).

As to claim 27, Salonaho teaches the network controller of claim 25, wherein the processor evaluates an uplink signal quality metric by evaluating uplink signal quality metrics over an evaluation period (*Salonaho teaches determining either or both uplink and downlink signal quality, which would of course occur over a period, see for example figure 2, column 6, lines 4-45*).

As to claim 28, Salonaho teaches the network controller of claim 25, wherein the processor instructs the mobile station to switch a cell reselection mode used by the mobile station comprises by, when the evaluation of the downlink signal indicates an improvement of radio frequency (RF) conditions experienced by the mobile station, instructing the mobile station to lengthen a reporting period associated with a cell reselection mode used by the mobile station (*Salonaho teaches the mobile being commanded to send measurement reports or not, see for example column 9, lines 8-55. Note that when the mobile would not be required to send reports (because of improved conditions), the period between reports would have been lengthened*).

Consider claim 26. Salonaho teaches a network controller comprising:

a default cell reselection mode associated with a cell serviced by the network controller (Note that since Salonaho only allows non-reporting if conditions warrant, the reporting mode would be the default mode. Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-



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38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45); and

a means that determines a cell reselection mode of a mobile station located in the cell, wherein the cell reselection mode comprises one or more of (i) whether a cell reselection will be autonomous or network-controlled and (ii) the reporting requirements of the mobile station (Salonaho teaches the cell reselection mode comprising the reporting requirements of the mobile, see for example column 2, lines 5-38, column 3, line 64-column 4, line 11, column 5, lines 48-55. Note that the reporting requirements correspond to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45),

evaluates an uplink signal quality metric associated with an uplink signal (Salonaho teaches determining either or both uplink and downlink signal quality see for example figure 2, column 6, lines 4-45),

determines whether the mobile station is experiencing a change in radio frequency conditions based on the evaluation, and when the evaluation of the uplink signal quality metric indicates an improvement of radio frequency conditions experienced by the mobile station and the mobile station is using an autonomous cell reselection mode that requires reporting, instructs the mobile station to switch to an autonomous cell reselection mode that does not require reporting (Salonaho teaches the mobile being commanded to send measurement reports or not based on conditions, see for example column 9, lines 8-55. Note that the reporting requirements correspond

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to reselection, or hand-off being network controlled or more autonomous see for example column 2, lines 15-45).

Salonaho lacks a teaching of at least one memory device and a processor coupled to the at least one memory device to store and perform the method. Official Notice is taken that it is notoriously well known in the art to use memory and processors to store and perform cell network processing. It would have been obvious to one of ordinary skill in the art to modify Salonaho to use memory and processor circuitry in order to utilize commonly available circuitry components.

***Allowable Subject Matter***

4. Claims 4,10,18,24,29,30 are allowed.

Claims are allowed for the reasons presented in the previous action.

**Response to Amendment**

5. Applicant's arguments with respect to claims 1-3,7-9,13-17,21-23,27-29 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J Sobutka whose telephone number is 571-272-7887. The examiner can normally be reached Monday through Friday from 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4711.

7. The central fax phone number for the Office is 571-273-8300.

Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number.

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**CENTRALIZED DELIVERY POLICY:** For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 3/5/07

**PHILIP J. SOBUTKA**  
**PATENT EXAMINER**

Philip J Sobutka

(571) 272-7887